

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

PAUL R. LEISURE, JR.,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No.: 15cv133-GPC(KSC)

**ORDER GRANTING JOINT
MOTION FOR ORDER
MODIFYING DISCOVERY CUTOFF
AND EXPERT DEADLINES [Doc. No.
12];**

AMENDED SCHEDULING ORDER

The parties have filed a Joint Motion for Order Modifying Discovery Cutoff and Expert Deadlines. [Doc. No. 12.] In the Joint Motion, the parties seek a brief extension of the fact and expert discovery deadlines because it has been difficult to locate records related to plaintiff's prior employment history and disability that are needed to assess plaintiff's claims. The parties' request for an extension does not affect the date set for the final Pre-Trial Conference. Good cause appearing, IT IS HEREBY ORDERED that the parties Joint Motion is GRANTED as follows:

1. All fact discovery shall be completed by all parties on or before April 1, 2016. "Completed" means that all discovery under Rules 30-36 of the Federal Rules of Civil Procedure, and discovery subpoenas under Rule 45, must be initiated a sufficient period of time in advance of the cut-off date, so that it may be completed by the cut-off

1 date, taking into account the times for service, notice and response as set forth in the
 2 Federal Rules of Civil Procedure. **Counsel shall promptly and in good faith meet and**
 3 **confer with regard to all discovery disputes in compliance with Local Rule 26.1(a).**
 4 The Court expects counsel to make every effort to resolve all disputes without court
 5 intervention through the meet and confer process. All discovery motions must be filed
 6 within 45 days of the service of an objection, answer, or response which become the
 7 subject of dispute, or the passage of a discovery due date without response or production,
 8 and only after counsel have met and conferred and have reached an impasse with regard
 9 to the particular issue. For oral discovery, the event giving rise to the dispute is the
 10 completion of the transcript of the affected portion of the deposition. In any case, the
 11 event giving rise to a discovery dispute is not the date on which counsel reach an impasse
 12 in meet and confer efforts. If the discovery dispute concerns written discovery requests,
 13 the parties shall submit a joint statement entitled, "Joint Motion for Determination of
 14 Discovery Dispute" with the Court. (For further information on resolving discovery
 15 disputes, see Judge Crawford's "Chambers' Rules" which are accessible via the Court's
 16 website at www.casd.uscourts.gov.) **A failure to comply in this regard will result in a**
 17 **waiver of a party's discovery issue. Absent an order of the Court, no stipulation**
 18 **continuing or altering this requirement will be recognized by the Court.**

19 2. The parties shall designate their respective experts in writing by April 8,
 20 2016. The parties must identify any person who may be used at trial to present evidence
 21 pursuant to Rules 702, 703 or 705 of the Fed. R. Evid. This requirement is not limited to
 22 retained experts. The date for exchange of rebuttal experts shall be on or before April 18,
 23 2016. The written designations shall include the name, address and telephone number of
 24 the expert and a reasonable summary of the testimony the expert is expected to provide.
 25 The list shall also include the normal rates the expert charges for deposition and trial
 26 testimony.

1 3. On or before May 11, 2016, each party shall comply with the disclosure
2 provisions in Rule 26(a)(2)(B) and Rule 26(a)(2)(C) of the Federal Rules of Civil
3 Procedure.

4 4. Any party shall supplement its disclosure regarding contradictory or rebuttal
5 evidence under Rule 26(a)(2)(D) on or before May 27, 2016.

6 5. All expert discovery shall be completed by all parties on or before June 17,
7 2016. The parties shall comply with the same procedures set forth in the paragraph
8 governing fact discovery.

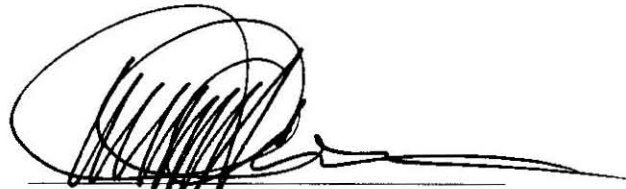
9 6. Please be advised that failure to comply with discovery deadlines or any
10 other discovery order of the Court may result in the sanctions provided for in Federal
11 Rule of Civil Procedure 37, including a prohibition on the introduction of experts or other
12 designated matters in evidence.

13 7. A Mandatory Settlement Conference shall be conducted on June 27, 2016 at
14 9:30 a.m. in the chambers of Magistrate Judge Karen S. Crawford, United States
15 Courthouse, 333 West Broadway, Suite 1010, San Diego, California 92101. Counsel or
16 any party representing himself or herself shall submit confidential settlement briefs
17 directly to chambers no later than May 26, 2016. All parties are ordered to read and to
18 fully comply with the settlement conference procedures set forth in Judge Crawford's
19 Chambers Rules which are accessible via the Court's website at www.casd.uscourts.gov.

20 8. All other terms and conditions of the Scheduling Order filed on October 5,
21 2015 [Doc. No. 11] shall remain in full force and effect.

22 IT IS SO ORDERED.

23 Dated: March 14, 2016

A handwritten signature in black ink, appearing to read 'Karen S. Crawford', is written over a horizontal line.

Hon. Karen S. Crawford
United States Magistrate Judge